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7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT SEATTLE

10                 ERIK TWEDE, et al.,

CASE NO. C16-1761JLR

11                 Plaintiffs,

ORDER DENYING  
STIPULATION TO EXTEND  
CASE SCHEDULE DEADLINES

12                 v.

13                 UNIVERSITY OF WASHINGTON,

14                 Defendant.

15                 Before the court is the parties' stipulated motion to extend the deadline for expert  
16 rebuttal testimony to February 6, 2018, and the discovery cutoff to February 27, 2018.  
17 (Stip. Mot. (Dkt. # 44).) The parties request an extension of the expert rebuttal deadline  
18 and the discovery cutoff "to conserve resources pending the Court's forthcoming  
19 decision" on Defendant University of Washington's ("UW") motion to dismiss. (*Id.* at 1;  
20 *see also* MTD (Dkt. # 32).) The court recently granted a similar stipulated motion  
21 extending the expert rebuttal testimony deadline to January 16, 2018, and the discovery  
22 cutoff to February 6, 2018. (12/15/17 Order (Dkt. # 43).) The court has considered the

1 present motion and, as described below, GRANTS in part and DENIES in part the  
2 parties' stipulated motion.

3       The problem with the parties' present request is that the dispositive motions  
4 deadline is February 20, 2018. (*See* Sched. Order (Dkt. # 15) at 1.) The court issues  
5 scheduling orders setting the trial and related dates to provide a reasonable schedule for  
6 the resolution of disputes. The court generally sets the discovery cut-off approximately  
7 30 days prior to the deadline for filing dispositive motions. This ensures that the court  
8 has a complete record before it when it considers a motion that could potentially dispose  
9 of the case. Second, the schedule generally provides approximately 90 days between the  
10 deadline for filing dispositive motions and the trial date. This 90-day period takes into  
11 account: (a) an approximate 30-day lag between the date a party files a motion and the  
12 date that motion becomes ripe for the court's consideration, *see* Local Rules W.D. Wash.  
13 LCR 7(d)(3); and (b) an additional 30 days during which the court endeavors to rule on  
14 the motion, *see id.* at LCR 7(b)(5). Anything short of a 90-day period leaves inadequate  
15 time for the parties to consider the court's ruling and plan accordingly for trial or an  
16 alternate resolution. Further, by extending the discovery deadline beyond the dispositive  
17 motions deadline, the court risks ruling on summary judgment in the absence of a  
18 complete record. Thus, the court is unwilling to steal time from this 90-day period to  
19 provide additional discovery time for the parties.

20       Nevertheless, the court is not without some flexibility with respect to the parties'  
21 case schedule. The court is willing to extend the rebuttal expert witness deadline to  
22 February 6, 2018, because this date is consistent with the revised discovery cutoff of

1 February 6, 2018 (*see* 12/15/17 Order) and still two weeks prior to the dispositive  
2 motions deadline of February 20, 2018 (*see* Sched. Order). Therefore, the court grants  
3 this request. The court is unwilling, however, to move the discovery cutoff to February  
4 27, 2018, because this date falls after the February 20, 2018, dispositive motions  
5 deadline. Therefore, the court denies this request. Accordingly, the court GRANTS in  
6 part and DENIES in part the parties' stipulated motion (Dkt. # 44) as described herein.

7 Dated this 11th day of January, 2018.

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10 JAMES L. ROBART  
11 United States District Judge  
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